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On 5-9-03

TOWNSEND and TOWNSEND and CREW LLP

By: Karen Karlin

**PATENT**  
Attorney Docket No.: 014058-009810US  
Client Reference No.: CX-98-0028

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

CHEEVER et al.

Application No.: 09/493,480

Filed: January 28, 2000

For: HER-2/NEU FUSION PROTEINS

Group Director: 1642

Examiner: J. Hunt

Art Unit: 1642

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

#  
21  
10  
8-6-03

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

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PATENT


This IDS is being filed on or before payment of the issue fee.

CERTIFICATION

I hereby certify that no item of information contained in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
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